have to deal with other resolutions and a full discussion of the necessary points will be required. As regards the Government attitude, in respect of these resolutions, I wish to say that the Government is not now in a position to say whether they are either for accepting or for rejecting any of the resolutions. I make bold to say that the opinion of the non-officials expressed in this Council will be of considerable help (*hear, hear*) to the Government in passing satisfactory orders on the recommendations of the Special Finance Committee. In fact, the situation as I understand is shortly this. There are in the first instance the recommendations of the Special Finance Committee for the consideration of the Government and there would be the recommendations of this Council thereon and the two combined recommendations must, I think, be of great value for the Government in passing final orders on the report before the Council. I think I have stated all that I wished to say in connection with the work before us. We shall now proceed with the discussion of the resolutions tabled for the day.

Point of order regarding procedure adopted.

Dr. A. G. Menon.—Sir, I rise to a point of order. I shall explain myself. I think that the proper function of this Council is to discuss the report submitted by the Special Finance Committee to the Government and to pass the report with necessary amendments or to reject it. I regret to say that the procedure adopted by the Government from start to finish in this matter has not been quite what it should be. When we cried to appoint a committee for effecting retrenchment in the top-heavy service of the State, the Government appointed a committee, who has been asked to prepare or who has prepared unasked a sort of State Manual. Instead of suggesting retrenchments on the lines demanded by the Council, they have devoted themselves to write a historical review of the State, not only forgetting meanwhile the demand of the Council, but even going against it.

Be it as it may. For what purpose this Session of the Council has been summoned, it is impossible to make out. That summons is ingenuously worded, and says that we are to meet "in connection with the report of the Special Finance Committee". It is studiously silent as to what we are to do with the report, and what procedure we must adopt. Are we to praise it and retire? Or are we allowed to discuss it in the proper order of the headings given in the report? Or are we to discuss it piecemeal in the balloted order of the resolutions? And what about the various topics which are not within the purview of this Council?

I would strongly urge that, if there is any sense in our

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meeting here, it must be taken that we have met to discuss the report of the Committee which the Government has placed before us. Then our function ought to be not to pass resolutions in the balloted order but to discuss the report clause by clause and to bring forward amendments till we make it acceptable to us. This will be the only legitimate function of this Council. By analogy, if there is any, between this and a Committee appointed by the Council, I think that ought to be our function to-day.

I must say that the passing of resolutions in the balloted order would defeat our purpose for the following reasons. Firstly, that a resolution sanctioning an item of expenditure may be passed first, while another to delete that item may be awaiting its turn. Secondly, there would be a number of resolutions overlapping one another but at the same time may not be exhaustive enough. Thirdly there is already the report before us and we must take it that the Government has moved for the acceptance of that report by way of resolution. Fourthly, important items may not be taken for discussion at all as we have sad experience of the past. Fifthly, when the Government has moved for the acceptance of this House any measure, our proper function would be either to reject it or to amend it and pass.

Therefore, the resolutions have no place in the discussion of a report of this nature.

In fact, I did not know that the proper procedure was to send in resolutions nor did I get any specific information on the point from the Secretary.

Mr. C. J. Mathew.—The President just now said that there are only two courses open for the discussion of this report. If you had intimated to us this fact, those who have not sent in resolutions but only motions would also have sent resolutions in time.

President.—I think we intimated it to you.

Dr. A. G. Menon.—No, Sir.

Mr. C. J. Mathew.—That information we inferred from the Secretary's letter. I got my communication on Saturday that resolutions are to be balloted on Monday. That was the first information and from that correspondence I got a clue.

Mr. C. Barton Wright.—I did not get notice till the 27th and I had to send a special messenger.

President.—Anyhow you asked for information, and you were given information.

Mr. C. Barton Wright.—Not in time, Sir.

Dr. A. G. Menon.—Unfortunately, we did not expect these resolutions. These resolutions had to be balloted, and there

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would be a lot of difficulties. In the proper course of business, I sent amendments to the Finance Committee's report paragraph after paragraph.

Mr. C. J. Mathew.—As a matter of fact we have been handicapped. Some Members sent in motions and they have been sent back.

Mr. A. B. Salem.—I do not think there was any handicap at all. I wish to raise another point of order, which is connected with this point of order. We have got this Council, and this Council is governed by Rules, Standing Orders and the Regulation. Now, when a matter comes for the decision of the House, whatever it may be, it has to be governed by these Standing Orders, Rules and sections of the Regulation. According to Standing Orders, a Member has a right to table any motion for the decision of this House by giving 6 days' notice thereof to the Secretary. It need not be balloted at all, and a shorter notice is sufficient if the President allows it. Therefore, I sent a number of motions upon the Special Finance Committee's report, and I do not see them included in the Agenda. I sent them in time. And I got a letter to say that motions have been received in the office in time on 2nd October, but I have got no other information that they are disallowed under any Standing Orders, Rules or the Regulation. I do not know how this has happened. And I do not know why I am shut out from this in the Standing Finance Committee too.

Mr. C. A. Kunjunni Raja.—On a point of information, Sir, is the report itself before the Council? That has formally to be placed before the Council.

President.—Why should it be placed?

Mr. C. A. Kunjunni Raja.—If it is to be discussed, individual Members might have got copies but that will not be placing it before the Council.

President.—Well, your recommendations are to be considered by the Government. As I put it, and I hope I made myself clear, this is only a further recommendation to the Government. That is the view that I hold on this matter. After all, in the matter of resolutions it is open to the Government to accept or not to accept them; so I considered that we have first had the recommendations of the Special Finance Committee who have been specially sitting for that purpose, and now we will have further recommendations as to which of the original recommendations could be accepted or modified or cancelled. That is the nature of the thing, and so in the light of these two recommendations, Government may proceed to consider the question, and pass final orders. That is the view I take. As

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you know, the question is not free from difficulty. This is the first time we are considering a report of this nature. I have been trying to get information from a variety of sources as to how such a report is dealt with elsewhere. This is not a Select Committee report, but it is a report prepared from outside the Council, and so I considered the matter to be of general public importance, and so we are to consider and discuss it by moving resolutions on it.

Dr. A. G. Menon.—The mere fact that the resolutions are going into the ballot box takes away the whole benefit of it.

President.—What are we to do? If the matter is to be treated as one for discussion in this Council, we have to follow the rules and regulations made for the conduct of this Council. So, if it is really a resolution, we have to ballot it, and there is no other go.

Mr. A. B. Salem.—That is quite right. Therefore it is that I suggested another way. There has been no formal presentation of the Committee's report, and why should the House discuss anything that is not presented to it is the first question. Therefore, I suggested to the Government Advocate that the report may be presented to the House and discussion invited by means of motions. The Government may table motions, and we also may table motions, and that would be a happy way of doing business in a proper manner. Resolutions, if the Government had any, they could table, and resolutions, if I had any, I could table according to the rules framed by the Government. These resolutions need not necessarily arise from the report These resolutions may be coming out of Minerva's head and placed before this House for acceptance or to be rejected. It need not necessarily relate to the Finance Committee report at all. It so happens that one resolution relates to the Finance Committee report. I may be tabling another resolution also, and I could have sent twenty other resolutions not relating to the Finance Committee report, but on matters of general public importance, and they also would have gone to the ballot box.

President.—That won't be allowed. We are specially sitting for the consideration of that report in this Session. Resolutions which have no bearing upon the Special Finance Committee report would not be accepted.

Mr. A. B. Salem.—If I send any resolution for any Session which conforms with the rules, how can I be prevented from my resolutions being put in the ballot box? I see no law for that. Unless information has been sent to the Members to say that only resolutions relating to the Special Finance Committee report will be considered during this Session under the authority

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vested in the President for the conduct of business in the House, how can that be prevented?

Dr. A. R. Menon.—It is mentioned in the communication "A special meeting to discuss the report of the Special Finance Committee."

Mr. A. B. Salem.—And the report is not placed before us.

President.—Copies of the report have been sent to you.

Mr. A. B. Salem.—That is for us to study, but there must be a formal presentation and invitation to discuss the report.

Dr. A. G. Menon.—There is no word "to discuss", Sir. There is only this information, *viz.*, "In connection with the report, etc."

President.—It has to be read with what passed before. You know what passed during the budget meeting.

Dr. A. G. Menon.—That is why we demanded a special sitting, and when I sent amendments, they were rejected on the ground that they were not resolutions.

Mr. A. Eachara Menon.—Can we not deal with this report as was done with the Lee Commission Report?

President.—I have not studied the details of the discussion of that report.

Mr. Thomas Manjuran.—I recognise that we are in an anomalous position as was stated from the Chair. But that need not prevent us from making an honest endeavour to make the best of the situation. It appears to me that to consider resolutions as they now stand, in a desultory manner, may land us nowhere. Assuming that the present situation is anomalous, it follows that there are no strict rules to regulate the procedure. That is to say, since we are not considering a Select Committee's report, it cannot or need not be treated, as if the matter comes directly under the purview of the Regulations, and what is there to prevent the President from ruling that some sort of working understanding may be come to? What I mean to say is this. Some convenient procedure may be adopted. I have sent 4 or 5 resolutions. I find the very least of them standing as the first in the list. Now an Hon'ble Member might have sent in some resolutions, 4 or 5 or 5 or 6 of them may be individual resolutions in a general scheme. Then there are Hon'ble Members who have sent motions only and motions have been rejected, (at any rate, they have not been placed before the House, and presumably they have been rejected, and if they are not rejected, they are hovering somewhere on their way to the Council Hall.) They are not sent up for our discussion. So I take it that they are not, to say the least, ripe for

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discussion here. Those Members certainly will want to say something on the motions which they have sent, but they cannot do so in the absence of their motions. So there are various matters to be considered before adopting a form of procedure. (*Laughter.*) Members should have been given clear notice that only resolutions should be sent. (*Hear, hear.*) If motions were to be disallowed they should have been distinctly told so. That is a legitimate grievance. Again, in the present invitation there is no offer to discuss the report ; but Hon'ble Members had reason to think that this is a meeting intended to consider the matter adjourned from the Budget session. That is, '*to discuss*' the report. What I would submit then is that the rigours of balloting may be suspended if the President wants the sense of the House to be taken, and the resolutions may be grouped together according to the paragraphs of the report so that we can discuss them together rather than in a desultory manner.

President.—The Members of the Progressive Party should have held a meeting sufficiently early to come to some understanding.

Dr. A. G. Menon.—Well, we knew it only after we received the summons to attend the meeting. But some of the Party Members and the Whip approached the Government Advocate, and they put in their own statement, but nothing was heard of it afterwards. That was two weeks ago, I think. The Progressive Party did their business, though I was not here. The Whip and others took part, and the Government Advocate was informed of what we wanted.

Mr. Thomas Manjuran.—So, to continue, I respectfully propose for the consideration of the President that, since he recognises the anomalous position of this meeting, he may be pleased to make certain modifications as regards the rigours of the rules that obtain now. It may be done after taking the sense of the House, if necessary. If there is overwhelming opinion for it, I say these resolutions may be grouped together and allowed to be discussed group by group. That is one thing. Before we go into the resolutions themselves, as during the Budget Session, there may be a general discussion of the report, so that Members who have sent neither resolutions nor motions may have their own opinions expressed also. It is all the more necessary to adopt this procedure because Members who have sent motions will otherwise have to go away with a grievance. They must get a chance to express their views.

President.—Have not the present resolutions dealt with the whole thing?

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Mr Thomas Manjuran.—How can we say, in the absence of th se motions? We do not know what those motions contemplate. Moreover, these resolutions cannot be exhaustive. Nothing is exhaustive.

Ever so many Members have sent in resolutions. Their view-point may be different from that of those who have sent in motions. Those motions may be accepted, and they also may be clubbed together, so that every one may say what he has to say in the discussion.

Mr. C. A. Kunjunni Raja.—How?

Mr. Thomas Manjuran.—An Hon'ble Member raises a difficulty as to how this can be done. My friend, the Hon'ble Member, is ignoring my hypothesis. I started by saying that we are in an anomalous position. We are not discussing a resolution, we are not discussing a motion, nor are we discussing anything that directly comes under the Council Law.

Mr. C. A. Kunjunni Raja.—Standing Order 19 (2) is the procedure regarding this.

Mr. Thomas Manjuran.—Now if 'a matter *requiring* the decision of the House' is brought forward, that section would be applicable. Now, under what law do you say that this is a matter which *requires* the decision of the Council? This is not a matter, in my humble view, which requires the decision of the Council. To me it appears this is not a matter which comes under section 19. No doubt the Government has invited us to consider the report of the Special Finance Committee. That does not bring the report under section 19. So that, I say some sort of useful order may be evolved, if we are to have some useful discussion. Strictly speaking, no rules are necessary for this, for the reason that we are not dealing with a thing which will come under the Council Law.

Dr. A. G. Menon.—Now this is the letter sent to the Government Advocate, Sir.

(*The letter was placed before the President for perusal.*)

Mr. C. A. Kunjunni Raja.—I submit the proper procedure before the Government is to give notice under S. O. 19(2) and (1) read together. If the Government want a decision of the Council on these recommendations, they have to give notice under S. O. 19 (1) and (2).

President.—Government want to know the recommendations of the Council, as I put it. I do not know whether I made myself sufficiently clear. There are first the recommendations of the Special Finance Committee. We want to know the recommend.tions of this Council with regard to the same matter.

Dr. A. G. Menon.—For that we have to discuss the report

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paragraph by paragraph. Then only we can do that. That is the difficulty. By piecemeal discussion we will never be able to make any recommendation to the Government.

President.—There are as many as 204 recommendations, specific recommendations on definite issues, by the Special Finance Committee. You may take each one and give your opinion.

Dr. A. G. Menon.—But it has to be begun in the balloted order.

Mr. A. B. Salem.—The suggestion that was made by us was that on the first day the report of the Committee may be presented to the House for examination and discussion, and if there are any definite proposals on any matter dealt with in the report on which the Government or any of its officers desire to ascertain the view of the Legislative Council, they may be tabled as motions to be moved by them for the decision of the House, and after Government motions are over, the elected and nominated Members may be directed to send definite propositions regarding the proposals in the report as motions for the decision of the House. The distinction between a resolution and a motion is this. A resolution has to go to the ballot box, and it can be taken here only in the balloted order. I can raise a point of order and say it can only come in the balloted order. In the case of motions I need give only 6 days' notice. In the case of resolutions you have to give 15 days' notice.

President.—What is the virtue in a resolution more than in a motion?

Mr. A. B. Salem.—A motion is only an expression of view of the House.

President.—It is a decision of the House.

Mr. A. B. Salem.—Decision is an expression of view.

President.—So also is a resolution.

Mr. A. B. Salem.—A resolution is more than an expression of view. It comes as a specific recommendation to the Government, and it must be accepted or rejected by the Government whereas motion is mere expression of view; the Government may take it or not.

President.—The question is rather difficult to decide. I considered the whole matter, and I sought for information from different sources. I wanted to know what the correct view is. Of course, Mr. Sankara Menon had to do it. I asked the Members at Ernakulam. Being a question of a novel nature, it is not easy to give a correct decision. Let us be sure as to the procedure. All that I want is our three days' work here may not be useless. Let us be sure that we proceed on correct lines. Let us not grope in the dark and go on through the wrong track.

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Mr. A. B. Salem.—I shall suggest a *via media*. There are resolutions and motions tabled. Motions are also quite in order, because there is this specific Rule 19 (2). They are in perfect order.

Dr. A. G. Menon.—We were not able to send resolutions in time. We never knew that there will be a Session. I think that the resolutions that are received may all be tabled. We shall meet and club them together. The resolutions should go to the Government as specific recommendations. Some sent resolutions, some motions, and some amendments. The Party wishes to have the report considered para after para.

President.—I do not know whether the Party itself has thought over the matter.

Dr. A. R. Menon.—The trouble is this. This report has been submitted by the Finance Committee after two years by sitting hours and hours together. We have considered it and and have come to a definite conclusion upon the various items. It is in my humble opinion nothing but waste of the Council's time. Those people will have in a compact form half a dozen resolutions. Each Member brings in a number of resolutions out of personal considerations. Some of these resolutions are unimportant and others very important. But everybody thinks that his resolution is the most important one. Naturally it is so. So there must be some discipline in the Party and at present our Party is conspicuous by its absence.

Dr. A. G. Menon.—I refute that statement.

That is not the point. The Party wants to have a full discussion.

President.—We are dealing with a matter which has not come before us at any time previous to this. Considerable difficulties arise during the course of discussion, and some method can be adopted by getting the opinions of the Members of this House.—We have to resolve in the Council that such and such proposals can be conveniently adopted, and the recommendations are brought to the Government by means of resolutions passed by the Council. So I decided that resolutions are better.

Dr. A. G. Menon.—I will suggest a *via media*, Sir. Sir, we are more concerned with the financial side, *i. e.*, the pay of the officers, and those sections may be picked out and placed before the Council in the form of Government recommendations and we may be allowed to discuss those.

President.—So far as the Government's position is con-

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cerned, I think it is this. We have, as you suggest, the whole financial aspect to be considered, how decisions passed by the Council will stand, to fix the pay of the officers who have been working for a number of years and how the financial situation will stand. The Heads of Departments should be heard before final orders are passed, *i. e.*, I want a conference of the Heads of Departments, before I myself arrive at some definite conclusion, and the whole thing is sent to His Highness for orders. This is the detailed procedure to be gone through. It is not a simple matter as you imagine. Even in some resolutions you are aware Government remains neutral. When this detailed procedure has to be followed, it is difficult for the Government to come to a definite conclusion now.

Dr. A. G. Menon.—I am aware of instances of Government Members coming forward to the Council with specific recommendations. And here that is not the case. The resolutions on the Special Finance Committee's report concerning the salaries, etc., may be picked out and placed before the Council, and we may discuss them. Then we may have an idea of the Government view.

Each and every Member should have his own definite view, and he must come forward that the pay of such and such officers may be so and so. That may be discussed, and either accepted or rejected. And their views may be brought forward in the form of a resolution.

Mr. K. P. Kannan Nayar.—It is a fundamental right to move any matter by means of motions. You will see, Sir, the definition of motion itself in the Standing Orders; Standing Order 2, clause 7—"Motion means a proposal made by a Member for consideration of the Council relating to any matter which can be discussed by the Council and includes an amendment." That is the definition. There is no doubt that a resolution is also a motion. So far as resolutions are concerned, they are circumscribed. The subject-matter of a resolution is restricted. It must be a matter of general importance as you will be able to see from section 7. Resoul tion has to be in a particular form, that is, a special recommendation to the Government. With reference to motions they are not so restricted. A motion is a fundamental right, which any Member may exercise with regard to any matter, which requires a decision of the House.

President.—Can the resolutions be brought under motions?

Mr. K. P. Kannan Nayar.—I can only say that it is a matter to be discussed in the Council. There was lately a discussion in the Legislative Council (Madras) with reference to that, and those who were reading the papers might have noticed

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the same. With reference to the question of co-operation with the Simon Commission, a motion was brought there, but there was the objection that it was practically a resolution and so came within the scope of the rule of repetition.

The Advocate-General said: there is a fundamental distinction between a resolution and a motion. For motions the rule of repetition is one session, while for resolutions it is one year. There was a discussion upon that, and you will see that the whole thing discussed in one of the issues of *the Hindu*, 3rd September or so, and there they say that there is a fundamental distinction between a motion and a resolution. It will be a mistake to say that a motion should be in the form of a resolution.

Mr. C. Barton Wright.—Is there no solution to this problem for us to get on?

Mr. C. A. Kunjunni Raja.—I move for an adjournment of the Council.

Dr. A. R. Menon.—I second it.

President.—All the difficulties here are to be considered. We shall throw some light upon them. Let us have a small discussion. We have to consider whether motions must be taken or resolutions are to be taken.

Dr. A. R. Menon.—We are coming to light. It is a physical impossibility to go through all these. Even among ourselves we could not come to an arrangement.

President.—The inner working of the Party should not be disclosed.

Mr. Barton Wright, can you throw any light upon the question?

Mr. C. Barton Wright.—I cannot, Sir.

Mr. C. J. Mathew.—We shall have a general discussion on the report just like the general discussion of the budget.

President.—It is absolutely necessary.

Mr. E. Ikkanda Warriar.—Then is it possible for the Government to inform the House as to which portion of the report that seems acceptable to them? Then the House may be asked to express an opinion.

President.—That is not the procedure.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—In whatever manner the report has been presented to the Council, all of us have seen the report. We have come here to co-operate. (*Hear, hear.*) The Hon'ble Members of the Progressive Party have also studied the report. They have sent resolutions. Whether they have been accepted, or whether their acceptance is only under consideration, each individual Member must have

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an opportunity to lay his views. It is only then that we can arrive at some definite conclusions. My suggestion is this. We have got a Special Session of three days, and I respectfully request the Council to adjourn for the afternoon so that all the Members of the Progressive Party may meet and collect together all the resolutions and motions that the several Members wish to be considered and then arrive at definite conclusions as to which of them may be moved. All such resolutions and motions (after all, these are recommendations), in respect of which there is agreement among the Party, may be presented before the House to-morrow after the question-time. This will save time. In short the Progressive Party may prepare a catalogue of points accepted by the Party. I hope this suggestion will be acceptable. In that way, we can get through one important branch of business. After this every individual Member, whether of the Progressive Party or not, if he has any special matter (not dealt with the Party's list) to be brought to the notice of the Council, he may bring it in the form of motions. I think motions are more appropriate than resolutions. I would appeal to the Members of the House, who have all come here to co-operate, to consider the hard lot of the low-paid public servants of the State who are anxiously awaiting the final orders, and if you adjourn the meeting indefinitely, our reputation as a deliberative body will be lost. I appeal earnestly with all the emphasis that I can command to the Members of the Progressive Party to accept my suggestion and conduct a full discussion of the matter and prepare a catalogue of motions to which the majority of the Party agree and present them before the Council to-morrow.

Dr. A. G. Menon.—Who will give proper accommodation ?

President.—Whatever it may be, we must do some business. Let us forget all forms of procedure and let us do real technical business.

Mr. M. A. Chakko.—In spite of motions being moved one by one, all may be clubbed together, and then moved as they stand. Yesterday we met and discussed the whole matter and also pointing out these difficulties, but we were not able to come to a definite conclusion, as the Standing Orders and Rules and Regulations have got to be violated, if a common procedure is to be adopted. We want to have a common procedure. We want the relaxing of certain rules. I don't know whether the President will allow it.

Dr. A. G. Menon.—I strongly protest against that action. If we adopt such an action to-morrow, the Press reporters will boldly issue the Proceedings of this Session stating that several

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Rules have been suspended which is against principle and precedent. Instead of that, we may have one by one listed, and taken up. Rules allow that.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—They say there are some matters in respect of which the Council has not jurisdiction. If the Council has no jurisdiction at all, they need not be considered here. The point is whether they can be considered as motions.

President.—Not under resolutions.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—So far as these points are concerned, I will go one step further. In preparing the list of motions, let the Progressive Party divide it into Part A and Part B, the former relating to those allowed by the Council Rules and the latter not so allowed. The Party being in a majority in this House, the House will automatically accept Part A completely. Then with regard to Part B, we will see whether they are absolutely prohibited by the Legislative Council Rules or not. If they are absolutely prohibited, I agree the Council has no jurisdiction. So far as I can see, the Leader of the Progressive Party said the prohibited point concerns chiefly only the pay of the different grades of officers and the reduction. Incidentally there may be some references made in the report about matters which are not strictly within the purview of the Legislative Council. I think these matters will be very few indeed. We can exhaust all the non-controversial points and non-prohibited points; as far as the other points are concerned we shall take a little time and consider what we should do. Because we have got one or two points in regard to which there is some difficulty, that is absolutely no reason why we should throw away all the other points and adjourn the Council *sine die*. We should look into the practical side of doing things. In cataloguing the points, there may be a few cases like that. Leave that case there. We shall go with the cases about which we are sure. Let us do some real business.

Dr. A. G. Menon.—I may suggest a *via media*. The Government may take all the clauses which deal about the pay, increment and other things and place them before the Council as resolutions or Government motions *verbatim* from the Finance Committee report. Then we may be able to give amendments to those motions or resolutions. As Government motions or resolutions need not go to the ballot box, they can pick out the sections dealing with the grading of the officers, their pay, etc.

President.—That presupposes,—

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—That is

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putting the cart before the horse It is not Government view. The Government place before the Council the report of the Special Finance Committee.

Dr. A. G. Menon.—It is their view because Government appointed the Committee. If not, the sections of the Committee's report may be placed before the Council as Government recommendations.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—No.

President.—But the recommendations of the Committee stand as recommendations of a body. Government has not accepted them.

Dr. A. G. Menon.—Those recommendations may be placed chapter by chapter.

President.—You know what the recommendations are. Then, you see, according to Rules, these motions are to be treated as resolutions. Those motions sent must also be taken in the list as also those that have not been sent, owing to some doubt as to whether motions could be sent or not—some Members were under that difficulty. They may also be taken up for discussion. We have got a full discussion. Then, as to the arrangement of the motions. So far as the Progressive Party is concerned, they can arrive at some conclusion.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—They may be asked to arrange in the order in which they wanted to proceed or in the order of the paragraphs of the main report. We are open to conviction. All the motions are placed before us. The majority will pass those motions which will have only the effect of recommendation. It is for the Government to pass orders.

President.—What is wanted is an opportunity for discussing.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—Fullest possible opportunity, Sir.

President.—In the business we are bringing to the Council, we have to follow the Council Rules.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—My proposition is very simple. The Council rules allow motions to be brought. Nobody will deny that. The Council Rules allow the President to admit a motion without time-limit. There is the Special Finance Committee's report. There is nothing new in it now. All the Members have seen that report. It is not difficult to go through the report and to prepare in the form of motions such of the recommendations of the Special Finance Committee, which the majority of the Progressive Party, which the Party as a whole, treat as Party motions and which they want to place before the Council. By this we do one im-

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portant item of the business. There may be points which individual Members may like to bring in. We may allow them freedom to do so. That is simple, and the Rules allow that.

Mr. Thomas Manjuran.—There are insuperable difficulties in the course. The Diwan Peishkar ignores one thing. The Party need not come to the conclusion. The Party cannot come to a conclusion without a certain majority.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—That is a matter of internal discipline.

Mr. Thomas Manjuran.—It is an insuperable matter.

President.—Then why not take the majority? What is the difficulty?

Dr. A. G. Menon.—Time is not sufficient. We took about 2½ hours where there is a regular organised meeting. Wherever possible, we may come to an agreement but our time is short.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—Let us do some good instalment of business.

Mr. Thomas Manjuran.—The grouping might be done by the President. Suppose there are 10 resolutions. They may be grouped. Call them resolutions, call them motions or call them anything, but only the relevant matter of each individual motion grouped need be discussed.

President.—How many motions have been sent? Let us have a list of all the items, motions, resolutions, etc.

Diwan Bahadur Dr. V. Verghese.—One observation I want to make as regards the Revenue Member's recommendation. I am not sure whether the Council would eventually admit that, because the motion, after all, will remain here. I think what the Council requires is to express their opinion which ought to be a recommendation to the Government. Whatever decision is arrived at here on a motion, it will remain here.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—No.

Diwan Bahadur Dr. V. Verghese.—It will not have the force of the resolution. There it remains.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—It must be considered by the Government.

Diwan Bahadur Dr. V. Verghese.—It must be communicated to the Government. It has not the force of the resolution.

Mr. K. P. Kannan Nayar.—There is nothing to prevent the Government from considering them.

President.—It may be an opinion of the Council.

Mr. E. Ikkanda Warriar.—If it is resolution or recommendation, Government is bound to accept.

Diwan Bahadur Dr. V. Verghese.—There is a law about

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motions and resolutions. The conclusions arrived at on a motion is not the same as that on a resolution.

President.—Mr. Kannan Nayar refers to the view. The ruling of the President will not go without any comment on the point.

Diwan Bahadur Dr. V. Verghese.—Then again another difficulty. That is only a point of information. Then again, the right of doing away with the balloting, by taking all the motions now for consideration as resolutions. Can that be done ?

Mr. A. B. Salem.—Taking the motions as resolutions, a thing which is not thought of by anybody. Motions to be turned into resolutions!

President.—His point is just to fix the order of motions; how the motions ought to be discussed, in what order, etc.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—The Party can dictate.

Dr. A. G. Menon.—We are not to dictate the Agenda, Sir.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—Make your recommendations. Some constructive suggestion must be recommended.

President—Any idea striking you, Mr. Kochunni Menon?

Mr. V. K. Kochunni Menon.—Unfortunately, it is not a matter contemplated by the Regulation strictly, That is the difficulty. The suggestion made by the Land Revenue Member may be accepted, and the arrangement may be in accordance with the heads given in the Committee's report.

Dr. A. G. Menon.—That is what we want. It may be done by the Secretary to the Council.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—Club all these resolutions.

Dr. A. G. Menon.—We are not in possession of the motions.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—We shall help the Progressive Party with an intelligent clerk.

Dr. A. G. Menon.—We have not got the motions before us. They are with the Secretary. The Land Revenue Member has got so many clerks. Let him take them with the resolutions and club them with the motions and arrange them in the serial order.

Mr. Thomas Manjuran.—If there is no clerk, I suppose a clerk will have to be appointed.

President.—All that I mean is we should not violate the provisions of the law.

Dr. A. G. Menon.—Then we will have to adjourn.

Mr. Thomas Manjuran.—This is only a technicality.

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President.—We have got a set of Regulations to go by, and we set them at nought and violate them. Whatever is proposed must be free from any objection, substantial legal objections.

Mr. K. P. Kannan Nayar.—Now, the motions are with the Secretary. We will help him, co-operate with him and try to have the whole thing clubbed. We are not in possession of them.

President.—Will you see that it is arranged in the order sent?

Mr. K. P. Kannan Nayar.—We will try to do like that. The Secretary is responsible. We shall do as far as it is possible for us, because we do not know, as far as those motions are concerned, how many will be Party motions, whether it will be possible for us to treat all as Party motions. There may be slight differences here and there. That may be arranged in the categorical order of the subjects.

Mr. Thomas Manjuran.—That will be for the Party to decide at the proper time.

President.—The President's ruling in the Madras Council regarding Clauses 23 and 24 is absolutely clear. That, if in any particular discussion, this clause does not aim at bringing forward to His Excellency's consideration a specific recommendation on a matter of general public importance, it may be anything else, but cannot be a resolution for the purpose of this section.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—Exactly.

President.—That is what Dr. Verghese has expressed.

Diwan Bahadur Dr. V. Verghese.—First, take all the resolutions. It has got the validity of law.

President.—I take it that recommendations can be made only by way of resolutions. The difficulty is to discuss all these resolutions. Some of the important resolutions might have gone in the end. They might not be reached. That is the difficulty.

Diwan Bahadur Dr. V. Verghese.—They can be clubbed together.

President.—Not clubbed. Important resolutions have to be brought forward.

Mr. K. P. Kannan Nayar.—So far as this is concerned, there is some misapprehension with reference to the Rules 23 and 24, that, if it is to be a recommendation, it is to be a resolution. Here we are asked to express our opinions with regard to the recommendations of the Special Finance Committee. Government may accept our opinion for what it is worth or they

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may totally reject the same. We can express our opinion by bringing in motions. The Government may accept it for what it is worth. All the same, it will be an opinion expressed in the House. Whether it is put in the form of a motion or in the form of a resolution, it will be an opinion expressed in the House by a majority. It is open to the Government to give that opinion what consideration it may be entitled to. So I don't think that stands in the way of treating motions as valid.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—After all, it is an expression of opinion. A resolution itself may also mean the same.

Mr. Thomas Manjuran.—Why should we go to technicalities? We have come to the practical side of technicality.

Mr. C. A. Kunjunni Raja.—It is only the opinion of a few, the opinion of one side of the Council.

President.—It is not the recommendation of the Council. It must be considered by the non-official Members. Official Members are entitled to express their opinion, but they do not take advantage of it. Nevertheless, it is the opinion of the Council. Because the Official Members do not take part in it, it does not cease to be included.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—We remain neutral.

President.—Is that a thing we can follow, Mr. Govinda Menon? We can easily take all the resolutions, motions may also be treated as resolutions, motions on which orders have been passed may also be treated as resolutions. All these motions may be clubbed and discussed. You, on your part, the Progressive Party, will examine all the motions and see which are to be considered as Party motions. Those may be taken up and disposed of. Then some work can be done.

Dr. A. G. Menon.—We have no objection, Sir, but the time will be short. The arrangement may take some time. We must place them before the Party meeting and we must come to a definite conclusion. The time is only a few hours. The time is not sufficient.

President.—Could not the whole work be done in the afternoon?

Dr. A. G. Menon.—The clubbing may take two or three hours or much more. We will have to meet and come to a definite conclusion. There is no use of saying 'yes'. Our Members must all meet. We must be given some time for clubbing. So the Session may be adjourned.

Mr. K. P. Kannan Nayar.—We shall try. There is nothing impossible.

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Dr. A. R. Menon.—I am compelled to move an adjournment motion. We have been discussing for 2½ hours. We have not come to any definite conclusion. We will move and second it, unless we come to a definite conclusion. There must be an end to everything. This discussion has been going on for hours and for hours.

Mr. C. Barton Wright.—It is only a question of give and take.

President.—How is it possible for us to come to a definite conclusion?

Dr. A. G. Menon.—My difficulty is our Party must have sufficient time to go through and come to a definite conclusion. There is no use of saying " yes, we shall try. "

Mr. K. P. Kannan Nayar.—Resolutions, motions which have not been admitted—and Dr. Menon says he has sent some amendments—whatever has been already sent may be clubbed as regards the subject matter, and then they may be presented, and we will try to discuss the whole thing or whatever it is possible for us in the period. There are two days. We shall do something to-day, something to-morrow. We shall do as much work as we can.

Dr. A. G. Menon.—I am for adjournment. There is not sufficient time.

President.—Can you not make an attempt? Whether you are able to succeed or not, an attempt should be made.

Mr. M. K. Raman.—As far as the Party is concerned, there may be some difficulty to come to a final settlement. We shall proceed with the work as it is. You have invited a discussion on the Finance Committee's report. The report is before us. This afternoon we shall begin with this work in the order in which it is written in the report. The Members here know what all motions they have sent, and the discussion can go on in the order in which they appear in the report and the Members can move their proposals. The resolutions that have been already sent may be treated as motions and the others who have not sent motions may bring new motions here so that the discussion will go on, instead of leaving it to the Party to come to a decision. There may be a lot of difficulties in the way if we put off discussion.

President.—The convenience is, if the Party is unanimous in their conclusion, those motions may be got through easily.

Mr. M. K. Raman.—We have made an attempt. This may be discussed in the Council. What is accepted by all may be passed easily. I do not know whether by this afternoon the

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Party will be able to come to a definite conclusion. It is a matter of doubt. I have my own apprehension that we may not be able to do much in the Party.

President.—Make an attempt and see what the proper thing for us would be.

Mr. M. K. Raman.—Even to-day after two o'clock we will go on with it, in the order in which the matter appears in the report.

Mr. K. P. Kannan Nayar.—That is impossible. They must know when they would be considered, the order in which they will be considered, etc.

President.—Because, there is no ballot or anything, each Member considers that his motion must have precedence, so that, to avoid all those difficulties, we shall go by the report.

Mr. E. Ikkanda Warriar.—The Secretary may also tell us by what time he will be able to finish his work, so that we may also finish by that time.

President.—If some of these resolutions were sent as motions, they may be treated as resolutions, and then others also may be repeated, which correspond to these resolutions. Let us have a list of these, and then we shall examine each motion. I think we will meet after lunch. It is better we come to some definite conclusion in the meantime. It cannot be said that we are wasting time in considering this. Whatever we do must according to law. We must know all the difficulties and apply our minds to the question, and then try to arrive at some satisfactory conclusion.

(*The House rose for lunch at 1-55 p. m. and met again at 3. p. m. with the Deputy President in the Chair.*)

Deputy President.—When the Finance Committee's report was taken up for discussion, several of the Members complained that they were handicapped in the matter of the discussion by the non-inclusion in the Agenda paper of the objections taken by them by way of motions or amendments; and some of them even took exception to the view of the President that the objections should be by way of resolutions. Seeing that there are no specific provisions in the Council Rules or the Regulations for discussing a report submitted by a Committee not appointed by the Council, I cannot say that the Members who submitted the objections by way of motions or amendments are at fault. I do not, however, think that they are correct in saying that the objections should be by way of motions or amendments and not by resolutions.

Whatever that may be, I do not think that such a mistake should be allowed to affect the proceedings of the Council in

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this matter. As I said before, this is not a matter for which specific provisions are made in the Regulation, Rules or Standing Orders, and we are not, therefore, bound to strictly conform to those provisions. S. O. 71 seems to be intended to meet such a case as the present. If I treat all the objections already submitted, whether by way of resolutions, motions, or amendments, as resolutions, group them under their respective heads and consider them in the order in which they are treated in the report, ignoring the ballot altogether, there can be no room for any further complaint. Under the powers vested in the President, I can then dispense with the notices and allow the proceedings to go on. The procedure I would, therefore, adopt in this case is to treat all the relevant resolutions, motions and amendments received up to this as resolutions, group them under their respective heads and consider them in the order in which they are dealt with in the report.

Mr. A. B. Salem.—So, the subjects of the report may be discussed *seriatim*?

Mr. K. J. Antony.—On a point of order. Can the President go beyond the Agenda?

Deputy President.—What is the Agenda? The consideration of the report of the Special Finance Committee. I may say nothing is strictly applicable to this. We have only to adopt a substantial *modus operandi*.

Dr. A. G. Menon.—Are you going to suspend the whole Rules and Regulations and Standing Orders for the purpose of this meeting?

Mr. A. B. Salem.—This is an extraordinary meeting and we shall have an extraordinary procedure. There is nothing to prevent the Agenda being altered.

Deputy President.—What are we to do? You want to express your views. If you do not want to express your views, Government can decide the matter, and then it is all right.

Dr. A. G. Menon.—So, the main point of order is decided in my favour, *viz.*, resolutions in the balloted order should not be passed.

Deputy President.—Yes.

Mr. A. B. Salem.—No balloted order.

Mr. T. A. Ramachandra Ayyar.—Since most of the Members have not tabled motions, I move that this meeting be adjourned *sine die*.

Mr. K. J. Antony.—I second it.

The motion was put to the vote and negatived.

Deputy President.—Then, we will begin following the order in the report.

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Mr. Thomas Manjuran.—Section 35, page 13.

Deputy President.—Yes, all those who have sent resolutions or motions can speak. Anybody can speak.

Resolutions on the Special Finance Committee Report.

Major Heads of Departments.

Mr. K. P. Kannan Nayar.—Paragraph 35, 'Grades of Departmental Heads'. On that matter I have sent a resolution, that is, No. 5. This is the resolution which I move for your acceptance:

"*This Council recommends to the Government that the pay of the major Heads of Departments be fixed at Rs. 400 per mensem rising to a maximum of Rs. 600, except the pay of the Diwan and the Judges of the Chief Court, and that the Secretary to the Diwan also be included in the classification of major Head of a Department*".

Now, in requesting you to accept this resolution, I shall preface it by one or two words. There are a number of motions and resolutions, and we have only two more days before us. I do not want to take up much of your time with reference to this. So far as the object of the Committee itself that was constituted is concerned, it was retrenchment. Now, there is another aspect which has to be considered, and that resolution comes later on, that, if possible, we must try to increase the prospect of the subordinate officers. Now, it may be questioned or it may be asked : all these things will bring about additional expenditure, and how are you going to meet this additional expenditure, unless you bring in new sources of taxation? There is a majority of opinion that, so far as our administration is concerned, it is to some extent top-heavy, so that my suggestion would be that, so far as Heads of Departments are concerned, their pay may be standardised, and the minimum pay of the major Head of a Department may be fixed at Rs. 400, and he may be allowed to rise up to Rs. 600. That would be my proposal. Now, I have made this proposal with another object also in view; the Special Finance Committee have fixed with reference to the major Heads of Departments the minimum pay of Rs. 600 rising up to Rs. 800. My object is all those subordinate officers in one Department who may be competent at one time or other to come to be the major Head of a Department must certainly be enabled to do it. So far as the sub-heads are concerned, their pay now stops with Rs. 300 or somewhere there. You will find there is a big drop from Rs. 600 to 300. Now, suppose the Assistant Conservator of Forests is competent to take the place of the Conservator of Forests—of course, if it is so—if you fix the pay at 300 and begin the Conservator's pay

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